

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 8:15CR42
Plaintiff,)
vs.) ORDER
CARLOS RUBEN GAMA-GARCIA,)
Defendant.)

This matter is before the court on the motion for an extension of time by defendant Carlos Ruben Gama-Garcia (Gama-Garcia) (Filing No. 23). Gama-Garcia seeks an extension of time in which to file pretrial motions in accordance with the progression order. Gama-Garcia's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted. Further, trial of this matter will be scheduled following the disposition of any pretrial motions or the expiration of the pretrial motion deadline if no pretrial motions are filed.

IT IS ORDERED:

Defendant Gama-Garcia's motion for an extension of time (Filing No. 23) is granted. Gama-Garcia is given until **on or before April 21, 2015**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., **the time between March 16, 2015, and April 21, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 16th day of March, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge